

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

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MANUEL REZENDEZ
Plaintiff

C.A. NO.: 04 CV 10072-JLT

v.

F/V LEGACY,
PYRITE INTERNATIONAL INC.
and WHALING CITY SEAFOOD
DISPLAY AUCTION
Defendants

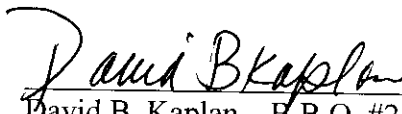
PLAINTIFF'S REQUEST FOR DEFAULT PURSUANT TO RULE 55(a)

I, David B. Kaplan, Attorney of record for the plaintiff, Manuel Rezendes, states that the complaint in this action was filed on January 13, 2004 and the summons and a copy of the complaint was served upon the defendant on January 28, 2004, as appears from the Proof of Service of Process filed with the court on February 2, 2004, and that the defendant herein has failed to serve a responsive pleading or to otherwise defend as provided by the Rule.

Therefore, I request that default be entered against the defendant in this action.

Signed under the penalties of perjury.

Respectfully submitted,
by his attorney,


David B. Kaplan – P.B.O. #258540
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Boston, MA 02210
(617) 261-0080

Dated: February 25, 2004